

REMARKS

The present invention is a method of handling operating characteristics of a profile in a communication terminal which includes a number of user selectable profiles each including a group of user adjustable operating characteristics and a method of handling operating characteristics of communication terminal including a number of user selectable groups of user adjustable operating characteristics. A method of handling operating characteristics of a profile in a communication terminal in accordance with an embodiment of the invention includes the terminal including a number of user selectable profiles each including a group of user adjustable operating characteristics, receiving a message including a group of user adjustable operating characteristics from a remote terminal transmitted via a communication channel, and saving the group of user adjustable operating characteristics as a profile in the communication terminal. With the invention the terminal in a preferred embodiment utilizes short message service to transmit the profiles in accordance with the SMS inbox 30, SMS transmission controller 31, SMS outbox 32 and SMS transmission driver 33 as discussed on page 6, lines 8-31 through page 7, lines 1-19. The transmitted profile includes ringing tones, graphics and the name of the profile.

Claims 1-3, 5-8, 11, 33-35, 37, 38, 39, 40-43 and 45 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 6,094,587 (Armanto, et al.). These grounds of rejection are traversed for the following reasons.

Independent claim 1 recites:

A method of handling operating characteristics of a profile in a communication terminal, the communication terminal includes a number of user selectable profiles each including a group of user adjustable operating characteristics, comprising:

receiving a message including a group of user adjustable operating characteristics from a remote terminal transmitted via a communication channel, and

saving the group of user adjustable operating characteristics as a profile in the communication terminal.

Independent claim 33 recites:

A method of handling operating characteristics of a communication terminal, the communication terminal including a number of user selectable groups of user adjustable operating characteristics, comprising:

receiving a message including a group of user adjustable operating characteristics from a remote terminal transmitted via a communication channel, and

saving the group of user adjustable operating characteristics individually in each selectable group in said communication terminal.

With respect to claim 1, it is seen that the communication terminal is recited as including user selected profiles each including a group of user adjustable operating characteristics and receiving a message including a group of user adjustable operating characteristics and saving the group of user adjustable operating characteristics as a profile in the communication terminal and claim 33 recites a group of handling operating characteristics of a communication terminal including a number of user selectable groups of user adjustable operating characteristics and receiving a group of adjustable operating characteristics from a remote terminal and saving the group of user adjustable operating characteristics individually in each selectable group in same terminal. Therefore it is seen that claim 1 recites the communication terminal including selectable profiles with a group of user adjustable operating characteristics being saved as a profile in the communication terminal and claim 33 recites user selectable groups of user adjustable operating characteristics with the terminal saving the group of user adjustable operating characteristics individually in each selectable group. This subject matter is not taught by Armanto, et al.

Armanto, et al. teaches the transmission of ringing tones to a mobile terminal in which

the transmission of each ringing tone is identified by means of a special character code which is described as a "identifier" by means of a short message. See column 7, lines 5-34 and column 11 lines 15-52. However, a person of ordinary skill in the art would not consider Armanto, et al.'s. disclosure of transmitting ringing tones to anticipate claim 1's recitation of "the communication terminal includes a number of user selectable profiles each including a group of user adjustable operating characteristics, comprising receiving a message including a group of user adjustable operating characteristics... and saving the group of user adjustable operating characteristics as a profile in the communication terminal" and to anticipate claim 33's recitation of "the communication terminal including a number of user selectable groups of user adjustable operating characteristics... receiving a message including a group of user adjustable operating characteristics... and saving the group of user adjustable operating characteristics individually in each selectable group in said communication terminal". While the present application does disclose that a ringing tone may be part of a profile, a person of ordinary skill in the art would not construe selectable profiles each including a group of user adjustable operating characteristics of claim 1 and the user selectable groups of user adjustable operating characteristics of claim 33 to be readable upon the single function of Armanto, et al. of transmitting ringing tones. A ringing tone transmission as described in Armanto, et al. does not meet the aforementioned limitations of claims 1 and 33.

If the Examiner persists in the stated grounds of rejection, it is requested that he point on the record how the disclosure of a ringing tone meets the user selectable profiles and user selectable groups as recited in independent claim 1 and 33.

Moreover, Armanto, et al.'s. solely transmitting ringing tones would not be considered by a person of ordinary skill in the art to motivate the modification of Armanto, et al. to meet

the aforementioned limitations of claims 1 and 33 except by impermissible hindsight.

Dependent claims 2-3, 5-8, 11, 34-35, 37, 38, 39, 40-43 and 45 further limit independent claims 1 and 33 in a manner which is not anticipated by Armanto, et al. and moreover there is no basis in the record why a person of ordinary skill in the art would consider obvious to modify Armanto, et al. to meet the aforementioned dependent claims.

Claims 4, 36 and 44 stand rejected under 35 U.S.C. 103 as being unpatentable over Armanto, et al. in view of U.S. Patent 4,999,613 (Williamson, et al.). These grounds of rejection are traversed for the following reasons.

Claim 4 further limits claim 2 in reciting that the message includes a card, identifying contact information, and/or calendar note, defining a date of an event, for being stored in a profile selected by the user. In the first place, it is noted above Armanto, et al. does not pertain to the transmission of profiles. Moreover, while Williamson, et al. do discuss in the referenced portion of column 14, lines 20-30 a reply including time, date and time information to reset a clock calendar 50, it is submitted that the overall field of endeavor of Williamson, et al. pertaining to confinement of prisoners would not be considered by a person of ordinary skill in the art to be analogous art to Armanto, et al. which pertains to the transmitting of ringing tones. The Examiner has not demonstrated on the record why a person of ordinary skill in the art would consider it obvious to combine Williamson, et al. with Armanto, et al. It is submitted that the Examiner's proposed combination is based upon impermissible hindsight.

Claims 9 and 10 stand rejected under 35 U.S.C. 103 as being unpatentable over Armanto, et al. in view of U.S. Patent 6,658,254 (Purdy, et al.). These grounds of rejection are traversed for the following reasons.

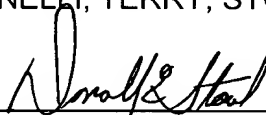
The Examiner reasons that Purdy, et al. teach pictures being displayed successively in order to create an animation. However, it is submitted that a person of ordinary skill in the art would not consider it obvious to combine Purdy, et al. pertaining to the display of multimedia information with a Armanto, et al. that pertains solely to the transmission of ring tones accept by impermissible hindsight.

In view of the foregoing remarks, it is submitted that each of the claims in the application are in condition for allowance.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (0171.39605X00) and please credit any excess fees to such Deposit Account:

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422
(703) 312-6600

DES:gjb